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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/600,282	06/20/2003	Harold Keith Crain	120697	6344

7590

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EXAMINER

AFZALI, SARANG

ART UNIT

PAPER NUMBER

3729

DATE MAILED: 02/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/600,282

Applicant(s)

CRAIN ET AL.

Examiner

Sarang Afzali

Art Unit

3729

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Application filed on 6/20/2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 1-10 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9/22/2003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-10, drawn to a method for assembling a rotor of a gas turbine engine, classified in class 29, subclass 889.21.
 - II. Claims 11-20, drawn to an apparatus for installing rotor blades to a rotor disc, classified in class 29, subclass 700.
2. Inventions of Group I and Group II are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case the apparatus as claimed in Group II can be used to practice another and materially different process such as pushing an o-ring seal into a groove.

During a telephone conversation with Robert Resser on 1-4-2006 an election was made with traverse to prosecute the invention of Group II, claims 11-20. Affirmation of this election must be made by applicant in replying to this office action. Claims 1-10 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Specification

3. The disclosure is objected to because of the following informalities:

The specification fails to disclose what reference numeral (416) shown on Figs. 4 & 5 is pointing to.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 13-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 13-15, it is unclear whether the applicant intends to claim a tool for assembly or a system including a tool and blades.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 11-20, as best understood, are rejected under 35 U.S.C. 102(b) as being anticipated by Ritz et al. (US 3,872,565).

As applied to claim 11, Ritz et al. teach a tool (20, Fig. 1) including a blade engagement end (ring 38, Fig. 1) and at least one brace (spokes 44, Fig. 1) coupled to

the blade engagement end (38, Fig. 1) at a first end of the brace (44, Fig. 1) and a guide end (cylindrical hub 42, Fig. 1) coupled to a second end of the brace (44, Fig. 1).

As applied to claim 12, Ritz et al. teach blade engagement end (38, Fig. 1) has a circular cross-section.

As applied to claim 13, Ritz et al. teach blade engagement end (38, Fig. 1) includes a body with central opening extending therethrough.

As applied to claim 14, Ritz et al. teach blade engagement end (38, Fig. 1) includes a pad (circular plates 72, 74, 76, 78, Fig. 3a) coupled to the engagement face.

As applied to claim 15, Ritz et al. teach pads (72, 74, 76, 78, Fig. 3a) have second hardness number.

As applied to claim 16, Ritz et al. teach the engagement end (38, Fig. 1) has a first riffled engagement side configured to conform to what it needs to install.

As applied to claim 17, Ritz et al. teach the brace (44, Fig. 2) is configured to maintain the engagement end (38, Fig. 2) in alignment with guide end (42, Fig. 2) during the installation process.

As applied to claim 18, Ritz et al. teach the guide end (hub 42, Fig. 2) has a body that includes a central opening (opening in hub 42, Fig. 2) therethrough sized to receive a guide shaft (post 36, Fig. 2) therethrough.

As applied to claim 19, Ritz et al. teach the guide end (hub 42, Fig. 2) and guide shaft (post 36, Fig. 2) are slidingly coupled to each other.

As applied to claim 20, Ritz et al. teach the tool (20, Fig. 1) is capable of being manually rotated during installation by means of the handle (braces 44, Fig. 1).

8. Claims 11-20, as best understood, are rejected under 35 U.S.C. 102(b) as being anticipated by Kawabe et al. (US 6,249,954).

As applied to claims 11-13, Kawabe et al. teach a tool (10, Fig. 1) including circular cross-section engagement ends (11c, 12c, Fig. 1) with at least a brace (11a, Fig. 1) coupled to guide end (11b, Fig. 1) wherein the engagement ends (11c, 12c, Fig. 1) form a central opening. Furthermore, Kawabe et al. teach that engagement ends may have a first riffling engagement side configured to conform to what it needs to install and they further may include pads (21a, 22a, Fig. 5) coupled to engagement face wherein the pads have a hardness number. Kawabe et al. further teach that brace (11a, 12, a, Fig. 1) are configured to maintain the engagement end (11c, 12c, Fig. 1) in alignment with guide end (11b, Fig. 1) during the installation process wherein the guide end (11b, Fig. 1) has a body that includes a central opening (guide hole 13, Fig. 1) therethrough sized to receive a guide shaft (12b, Fig. 1) and wherein the guide end (11b, Fig. 1) and guide shaft (12b, Fig. 1) are slidingly coupled to each other and furthermore that tool (10, Fig. 2) is capable of being manually rotated during installation by means of the handle (16-5, Fig. 2).

Note that a recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim. Thus, both Ritz et al. and Kawabe et al. are capable of performing the intended use and therefore meet the claimed invention.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sarang Afzali whose telephone number is 571-272-8412. The examiner can normally be reached on 7:00-3:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on 571-272-4690. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

S.A.

S.A.
01-09-2006


MARC JIMENEZ
PRIMARY EXAMINER
1-10-06